REMARKS/ARGUMENTS

Claims 1-25 are pending in the above-referenced application.

This is a response to the Election/Restriction Requirement dated September 2, 2004.

While Applicant has made an election as required under 35 U.S.C. §121, the election is made with traverse. In forcing an election, the Examiner contends that the apparatus and the process of use are distinct because "the bolt could be heated prior to installation." Applicant respectfully submits that the Examiner's position is incorrect.

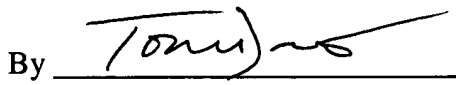
The invention is directed to self-torquing fasteners or bolts. As explained in the specification, the fasteners are to be fastened to an object or objects and then heated to change shape to thereby torque the object or objects without manually, via a torquing wrench, torquing the fasteners, i.e., "self-torquing fasteners/bolts". Thus, if the bolts are heated prior to installation as the Examiner had suggested, then the bolts would not be "self-torquing". The bolts, as suggested, would require separate torquing using a torquing wrench.

Accordingly, Applicant submits that the product and process of use are not distinct.

Regarding the non-elected species, Applicant understands that claims directed to non-elected species will be allowed if they depend from allowed generic claims.

Should the Examiner finds it necessary to speak with Applicant's attorney, he is invited to contact the undersigned at the telephone number identified below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 

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